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EXAMINER

MOTTOLA, STEVEN J

ART UNIT PAPER NUMBER

2817

DATE MAILED: 12/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022012

Applicant(s)

Betti-Berute et al.

Examiner

Mottola

Group Art Unit

2817

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-25 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 1-19, 25 is/are allowed.
- ☒ Claim(s) 20, 23, 24 is/are rejected.
- ☒ Claim(s) 21-22 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2817

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20,23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Shih.

Refer first to fig. 1 of Shih. The first gain stage 11 receives a differential signal at its inputs 12,14 and generates a differential output signal at its outputs 16,18. Thus stage 11 may be read as the differential amplifier claimed and the signals on outputs 16,18 may be read as the first and second signals respectively. Stages 40 each include differential amplifiers 42,44 that receive these signals. One of the amplifiers 42,44 of each stage 40 may be read as the first and second differential amplifiers claimed; they generate a single ended output as claimed. In regard to claim 23, detail fig. 2 of Shih shows that the stage 11 includes an output 'level shift' stage including transistors 31-34. In regard to claim 24, the device of Shih consists of a plurality of cascaded differential amplifiers.

Claims 21-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

These claims specify a second resistively terminated output for each of the first and second amplifiers; this is not shown by Shih.

Art Unit:

Claims 1-19 and 25 are allowed.

These claims specify that the first and second output signals are combined by a combiner distributed amplifier not disclosed by Shih.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the distributed amplifier combiners of Jones and Saitoh as well as the differential amplifier with level shifters of Salib et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Mottola whose telephone number is 703-308-4914. The examiner can normally be reached on M-Th from 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6251.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


Steven J. Mottola
Primary Examiner